

**Superior Court of Washington  
County of**

In re Parentage:

and  
  
and  
  
Respondent.  
Respondent.

**No.**

**Findings of Fact and  
Conclusions of Law on  
Challenge to Denial of Paternity  
(FNFCL)**

**I. Basis for Findings**

The findings are based upon:

- ☐ agreement of the parties.
- ☐ an order of default entered on \_\_\_\_\_ [Date].
- ☐ a hearing held on \_\_\_\_\_ [Date]. The following people attended:
  - ☐ Mother
  - ☐ Acknowledged Father
  - ☐ Presumed Father
  - ☐ Guardian ad Litem
  - ☐ Mother's Attorney
  - ☐ Acknowledged Father's Attorney
  - ☐ Presumed Father's Attorney
  - ☐ Other:

**II. Findings of Fact**

Upon the basis of the court record, the court  ***Finds:***

**2.1 Notice and Personal Jurisdiction Over the Parties**

All parties necessary to adjudicate the issues were served with a copy of the summons and petition and are subject to the jurisdiction of this court. The facts below establish personal jurisdiction over the parties:

- ☐ The **mother** signed an acknowledgment of paternity that was filed with the Washington State Registrar of Vital Statistics on \_\_\_\_\_ [Date].
- ☐ The **acknowledged father** signed an acknowledgment of paternity that was filed with the Washington State Registrar of Vital Statistics on \_\_\_\_\_ [Date].
- ☐ The **presumed father** signed a denial of paternity that was filed with the Washington State Registrar of Vital Statistics on \_\_\_\_\_ [Date].
- ☐ Other:

## 2.2 Challenge Period

This proceeding began after the period for rescission of the Acknowledgment of Paternity ended and:

☐ more ☐ not more than two years after the date the Acknowledgment of Paternity was filed with the Washington State Registrar of Vital Statistics.

☐ more ☐ not more than two years after the date the Denial of Paternity was filed with the Washington State Registrar of Vital Statistics.

## 2.3 The Child Whose Paternity Is Affected In This Action

This action affects the paternity of \_\_\_\_\_ [Name]  
born on \_\_\_\_\_ [Date].

## 2.4 Genetic Tests

- ☐ Genetic tests were not performed in this proceeding.
- ☐ Genetic tests were performed in this proceeding and the results indicate that the acknowledged father ☐ is ☐ is not excluded as the biological father of the child based upon a probability of paternity of \_\_\_\_\_ per cent.
- ☐ Genetic tests were performed in this proceeding and the results indicate that \_\_\_\_\_ [Name] is the biological father of the child based upon a probability of paternity of \_\_\_\_\_ per cent.
- ☐ At the time the acknowledgment ☐ and denial of paternity were signed, genetic tests were performed indicating the acknowledged father was not excluded as the father of the child based upon a probability of paternity of \_\_\_\_\_ per cent. This test result was not challenged in this proceeding.

## 2.5 Fraud, Duress or Material Mistake of Fact

\_\_\_\_\_ [Name] ☐ did ☐ did not show by clear, cogent and convincing evidence that he signed the Denial of Paternity under ☐ fraud ☐ duress or ☐ material mistake of fact, as follows:

## 2.6 Acknowledged Father and Child Relationship

- ☐ Does not apply.
- ☐ It is in the best interest of the child to enter a declaration that the father and child relationship ☐ does ☐ does not exist between the acknowledged father and the child.

## 2.7 Basis of Jurisdiction Over the Child

This court has jurisdiction over the child for the reasons set forth below:

- ☐ This court has exclusive continuing jurisdiction. The court has previously made a child custody, parenting plan, residential schedule or visitation determination in this matter and retains jurisdiction under RCW 26.27.211.
- ☐ This state is the home state of the child because
  - ☐ the child lived in Washington with a parent or a person acting as a parent for at least six consecutive months immediately preceding the commencement of this proceeding.
  - ☐ the child is less than six months old and has lived in Washington with a parent or a person acting as parent since birth.
  - ☐ any absences from Washington have been only temporary.
  - ☐ Washington was the home state of the child within six months before the commencement of this proceeding and the child is absent from the state but a parent or person acting as a parent continued to live in this state.
- ☐ The child and the parents or the child and at least one parent or person acting as a parent, have significant connection with the state other than mere physical presence; and substantial evidence is available in this state concerning the child's care, protection, training and personal relationships; and
  - ☐ the child has no home state elsewhere.
  - ☐ the child's home state has declined to exercise jurisdiction on the ground that this state is the more appropriate forum under RCW 26.27.261 or .271.
- ☐ All courts in the child's home state have declined to exercise jurisdiction on the ground that a court of this state is the more appropriate forum to determine the custody of the child under RCW 26.27.261 or .271.
- ☐ No other state has jurisdiction.
- ☐ This court has temporary emergency jurisdiction over this proceeding because the child is present in this state and the child has been abandoned or it is necessary in an emergency to protect the child because the child, or a sibling or parent of the children is subjected to or threatened with abuse. RCW 26.27.231.
  - ☐ There is a previous custody determination that is entitled to be enforced under this chapter or a child custody proceeding has been commenced in a court of a state having jurisdiction under RCW 26.27.201 through 26.27.221. The requirements of RCW 26.27.231(3) apply to this matter. This state's jurisdiction over the children shall last until \_\_\_\_\_ [Date].
  - ☐ There is no previous custody determination that is entitled to be enforced under this chapter and a child custody proceeding has not been commenced in a court of a state having jurisdiction under RCW 26.27.201 through 26.27.221. If an action is not filed in \_\_\_\_\_ [potential home state] by the time

the child has been in Washington for six months, \_\_\_\_\_ [Date],  
then Washington's jurisdiction will be final and continuing.

☐ Other:

## **2.8 Child Support**

- ☐ Does not apply.
- ☐ A child support order was entered on \_\_\_\_\_ [Date] requiring  
\_\_\_\_\_ [Name] to pay \$\_\_\_\_\_ per month for the  
support of the child.
- ☐ The child is in need of support and child support should be set pursuant to the  
Washington State Child Support Schedule. The Order of Child Support signed by the  
court on \_\_\_\_\_ [Date] and the child support worksheet which has  
been approved by the court are incorporated by reference in these findings.
- ☐ Other:

## **2.9 Residential Schedule/Parenting Plan**

- ☐ Does not apply.
- ☐ The residential schedule/parenting plan signed by the court on \_\_\_\_\_ [Date]  
is approved and incorporated as part of these findings.
- ☐ The residential schedule/parenting plan is the result of an agreement of the parties.
- ☐ Other:

## **2.10 Child's Name**

- ☐ There is not good cause to change the child's name.
- ☐ There is good cause to change the child's surname to \_\_\_\_\_.

## **2.11 Continuing Restraining Order**

- ☐ Does not apply.
- ☐ A continuing restraining order against the ☐ father ☐ mother ☐ both parties is necessary  
because:
  
  
- ☐ Other:

## 2.12 Protection Order

- ☐ Does not apply.
- ☐ A domestic violence protection order protecting \_\_\_\_\_ [Name] from \_\_\_\_\_ [Name] is necessary based upon declarations in the file or attached.
- ☐ If the duration of this order exceeds one year, the court finds that an order of one year or less will be insufficient to prevent further acts of domestic violence.

## 2.13 Other

# III. Conclusions of Law

## 3.1 Jurisdiction

- ☐ The court has jurisdiction to enter an order in this matter.
- ☐ The court does not have jurisdiction to enter a judgment and order because this matter was begun more than two years after the date the Acknowledgment of Paternity and the Denial of Paternity was filed with the Washington State Registrar of Vital Statistics.

## 3.2 Disposition

The court shall enter an order on challenge:

- ☐ Dismissing the petition because this proceeding to challenge the Denial of Paternity was not timely begun.
- ☐ Granting the Petition for Challenge to Denial of Paternity and declaring that the Denial of Paternity is invalid because it was signed under fraud, duress, or material mistake of fact.
- ☐ Declaring the Acknowledgment of Paternity is void.
- ☐ Denying the Petition for Challenge to Denial of Paternity.
- ☐ Declaring, based upon genetic testing, the father and child relationship ☐ exists ☐ does not exist between the acknowledged father and the child and that the father and child relationship is in the best interest of the child.
- ☐ Making provision for an amended birth certificate of the child.
- ☐ Changing the surname of the child to \_\_\_\_\_ [Surname].
- ☐ Declaring \_\_\_\_\_ [Name] to be the father of the child.
- ☐ Amending the birth certificate of the child to identify the father.
- ☐ Requiring the father to pay past child support, medical and other expenses incurred on behalf of the child.

- ☐ Determining child support for the child pursuant to the Washington State Child Support Schedule and ordering either or both parents to maintain or provide health insurance coverage for the child and to pay extraordinary uninsured costs proportionate to their incomes.
- ☐ Making provision for a residential schedule/parenting plan.
- ☐ Making provision for a domestic violence protection order with an expiration date of \_\_\_\_\_.
- ☐ Making provision for a continuing restraining order.
- ☐ Awarding court costs, genetic test costs, guardian ad litem, attorney and other reasonable fees.
- ☐ Other:

### 3.3 Other

Dated: \_\_\_\_\_

\_\_\_\_\_  
**Judge/Commissioner**

Presented by:

Approved for entry:  
Notice of presentation waived:

\_\_\_\_\_  
Signature of Party or Lawyer/WSBA No.

\_\_\_\_\_  
Signature of Party or Lawyer/WSBA No.

\_\_\_\_\_  
Print or Type Name                      Date

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